

EDC.002-780

Notice of Incomplete Filing or Filing of Outdated Forms and Notice of Intent to Dismiss Case if Documents Are Not Timely Filed (v.5.0 – 07/17/2023)

Page 1 of 2

**UNITED STATES BANKRUPTCY COURT
Eastern District of California**

**NOTICE OF INCOMPLETE FILING OR FILING OF OUTDATED FORMS AND
NOTICE OF INTENT TO DISMISS CASE IF DOCUMENTS ARE NOT TIMELY FILED**

In re

Eduardo Garcia Castillo Elena Castillo

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|--------------------------|
| Case Number |
| 24-12641 – A – 13 |
| Debtor(s). |

The petition filed on 9/11/24 by the above-named debtor(s) was not accompanied by all required documents.

NOTICE IS HEREBY GIVEN that the following documents are missing and must be filed, or one of the other options described below must be taken, by the date(s) indicated (*if two dates are shown, two separate deadlines are established for each of the options described below; each date must be timely satisfied as to the documents governed by that date*).

If "Verification and Master Address List" is listed above, the notice of meeting of creditors will be sent by the court to the debtor(s), the attorney for the debtor(s), if any, and the trustee ONLY. Thereafter, it will be the attorney for the debtor(s)'s, or the pro se debtor's responsibility to serve notice of the meeting of creditors that includes the debtor's and, if applicable, the joint debtor's FULL social security number(s) on all creditors, and to file with the court a proof of service indicating that service has been made, together with a REDACTED version of the notice, showing only the last four digits of the social security number(s).

If "Statement of SSN" is listed above, the attorney for the debtor(s) or the pro se debtor must provide notice of the debtor's and, if applicable, the joint debtor's FULL social security number(s) to the trustee and all creditors. A proof of service, indicating that service has been made, together with a REDACTED version of the notice, showing only the last four digits of the social security number(s), must be filed with the court.

The following document(s) must be received by the bankruptcy clerk's office by 9/25/24. If documents were submitted and marked deficient, it may be because outdated forms were used. Please see page 2 for information on where to obtain current forms. Failure to resubmit documents on current forms may result in the case being dismissed. The Clerk's office will not compare revised forms to determine whether any information has been changed. To make changes to schedules, statements, and/or lists that have already been filed, these items should be marked "AMENDED" and should be submitted along with the appropriate fee, if necessary, and an amendment cover sheet (EDC Form 2-015).

- Chapter 13 Plan
- Form 122C-1 Statement of Monthly Income
- Schedule A/B – Real and Personal Property
- Schedule C – Exempt Property
- Schedule D – Secured Creditors
- Schedule E/F – Unsecured Claims
- Schedule G – Executory Contracts
- Schedule H – Codebtors
- Schedule I – Current Income
- Schedule J – Current Expend.
- Statement of Financial Affairs
- Summary of Assets and Liabilities

NOTICE IS FURTHER GIVEN that the Court, without further notice, may dismiss this case unless the debtor does one of the following on or before the date specified above (if two dates are shown, the debtor must do the following on or before the earlier of the two dates):

1. **Files all missing documents** with the Clerk, U.S. Bankruptcy Court, by mail or in person at the address shown below; **OR**
2. **Files a motion for an extension of time to file the missing documents** with the Clerk, U.S. Bankruptcy Court, by mail or in person at the address shown below. Pursuant to Federal Rule of Bankruptcy Procedure 9006(b)(1), motions for extensions of time must be filed prior to the expiration of the prescribed periods. Extensions of time to file schedules, statements, and other documents may be granted only on motion for cause shown and on notice to committees, the United States Trustee, trustee, examiner, and others as directed by the Court. See Fed. R. Bankr. P. 1007(c); **OR**
3. **Files a Notice of Hearing on the Court's Notice of Intent to Dismiss Case supported by a statement of the issue and evidence** with the Clerk, U.S. Bankruptcy Court by mail or in person at the address shown below, setting the hearing on **10/31/2024 at 09:30 AM at the U.S. Bankruptcy Court in Courtroom 11, 5th Floor , 2500 Tulare Street , Fresno, CA.** The Notice of Hearing and statement of the issue and evidence shall be served on the trustee, trustee's attorney, if any, all creditors, and other parties in interest. Proof of service, in the form of a certificate of service, shall be filed with the Clerk concurrently with the Notice of Hearing and statement of the issue and evidence, or not more than three (3) days thereafter.

NOTICE IS FURTHER GIVEN that on or before the date specified above, the trustee, a creditor, or other party in interest may file a Notice of Hearing on the Court's Notice of Intent to Dismiss Case to show cause why this case should not be dismissed with the Clerk, U.S. Bankruptcy Court, by mail or in person at the address shown below. The Notice of Hearing shall set the hearing for the same date, time, and location as indicated in option 3 above, and shall be supported by a statement of the issue and evidence. The Notice of Hearing and statement of the issue and evidence shall be served on the debtor, debtor's attorney, if any, the trustee, trustee's attorney, if any, all creditors, and other parties in interest. Proof of service, in the form of a certificate of service, shall be filed with the Clerk concurrently with the Notice of Hearing and statement of the issue and evidence, or not more than three (3) days thereafter.

If no Notice of Hearing on the Court's Notice of Intent to Dismiss Case Is filed, no hearing will be calendared. THEREFORE, YOU SHOULD NOT APPEAR AT THE DATE AND TIME INDICATED ABOVE UNLESS YOU FILED A NOTICE OF HEARING, OR UNLESS YOU ARE SERVED WITH A NOTICE OF HEARING FILED BY ANOTHER PARTY.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE. Failure to timely file the missing documents, to timely seek an extension of time, or to timely file a Notice of Hearing on the Court's Notice of Intent to Dismiss Case may result in the automatic dismissal of this bankruptcy case without further notice. If you have already complied with the above requirement(s), please disregard this notice.

Dated: 9/11/24

Wayne Blackwelder Clerk,
BY: tsef , Deputy Clerk
U.S. Bankruptcy Court
Robert E. Coyle United States Courthouse
2500 Tulare Street, Suite 2501
Fresno, CA 93721-1318
(559) 499-5800

MORE INFORMATION CONCERNING REQUIRED FORMS

- Individual forms are available on the court's website at <https://www.caeb.uscourts.gov/Forms/FormsAndPublications.aspx>. You can search by form title or form number.
- Forms packages and instructions for Individual and Non-Individual debtors are available on the court's website at <https://www.caeb.uscourts.gov/Forms/FormsPackage.aspx>.
- Pro Se debtors may find useful information by going to <http://www.caeb.uscourts.gov/FilingWithoutAnAttorney.aspx>.